



April 3, 2009

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Summary of April 1, 2009 *Ex Parte* Meeting pursuant to DA 09-668, GN Docket No. 09-40 and additional comments regarding the definition of 'Broadband'

Dear Ms. Dortch:

Expand Networks, Inc. submits this letter to summarize its April 1, 2009 *Ex Parte* meeting with Commission staff and to emphasize a key point of the discussion on the definition of 'Broadband.'¹

During the meeting, Expand Networks demonstrated the effects of WAN optimization technologies on a bandwidth-constrained satellite network, illustrating how virtual bandwidth created by WAN optimization delivers broadband performance even where link speeds are 128kbps or lower. By creating virtual bandwidth capacity, the network can support more users without increasing recurring bandwidth expenses. This is a direct way to drive down operating costs and make the network more affordable to a larger number of subscribers.

The definition of 'Broadband' should include virtual Broadband that is brought about WAN Optimization technologies which create virtual bandwidth capacity and enhance network performance. Speed alone should not define broadband.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "HTL", written over a light blue horizontal line.

Howard Teicher
Vice President, Public Sector & Satellite Markets

¹ See Additional *Ex Parte* Comments of Expand Networks, Inc., regarding the Rural Broadband Strategy submitted pursuant to GN Docket No. 09-29 (DA 09-561).